

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, May 23, 2017

9:00 a.m. or Soon Thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Planning Commission

1. Contested Case Calendar of May 9, 2017

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

1. Continued Agency Hearing

2. New Agency Hearing

- a. Class IV Zoning Permit Z-IV-2017-10, Use Permit U-2017-8 and Special Permit SP-2017-4 to allow development of a substance abuse treatment and healing center for adolescents, involving a parcel situated on the eastern side of Maalo Road in Kapaia, approx. 0.75 miles north of the Maalo Road/Kuhio Highway intersection, further identified as Tax Map Key (4) 3-8-018:012, and affecting a parcel approx. 5.825 acre in size = *County of Kauai, Office of the Mayor*. [Director's Report received 5/9/17.]

F. HEARINGS AND PUBLIC COMMENT (Cont'd)

2. New Agency Hearing (Cont'd)

- b. Special Management Area Use Permit SMA(U)-2017-3, Class IV Zoning Permit Z-IV-2017-11, Use Permit U-2017-9 to allow additions to the existing Coral Reef Hotel that includes (4) hotel units, two (2) apartment-hotel units, and associated site improvements, and Variance Permit V-2017-4 to allow deviations from several requirements of the Kauai County Code (1987), including Section 8-13.1 relating to Nonconforming Buildings & Structures, Section 8-13.2 relating to Nonconforming Uses, Sections 8-9.2(a) & (b) relating to Open District Development Standards, for a parcel located on the makai side of Kuhio Highway in Kapaa Town, further identified as 4-1516 Kuhio Highway, Tax Map Key 4-5-011:046, and containing a total area of 0.592 acres = ***Pixar Development, LLC***. [Director's Report received 5/9/17.]
 - 1. Letter (5/17/17) from Ian K. Jung, Esq., transmitting letters of support from:
 - a. Jeanette Otsuka Chang, Otsuka's Furniture & Accessories
 - b. Randall Boyer, Aloha Roofing Supply
 - c. James Norman, President, Rotary Club of Kapaa
 - d. Bob Bartolo, All Kauai Cleaning Co.
 - e. Neill & Fely Sams, Orchid Alley Kauai
 - f. Christian Dorland, Dorland & Associates
 - g. Neill Sams, High Tech Drafting & Design
 - h. Katherine Muzik, Ph.D.
 - i. Art Café Hemingway
 - j. Himy Dole, Kauai Shore
 - k. Ray Charron, Aloha Images
 - l. Morris Wise, Ko Bakery
 - m. Lawrence William Kopesky, Jr. Akamai Computer Technologies
 - n. Ron Pereira, ABC Corporation
 - o. Donna Charron, MA, MFT
 - p. Cathy Sancious, The UPS Store
 - q. Dale Rosenfeld, Joyful Ceremonies
 - r. Aaron Martin, Elevate Wellness & Bodywork
 - s. Angela Babcock, Elevate Wellness & Bodywork
 - t. Jody McCune, the Beauty Shop & Manicure Bar
 - u. Ohana Juice Bar
 - v. Hough to Market Group Inc.
 - w. Terri Brown, Spectrum Enterprise
 - x. Noreen Steinmetz
 - y. Sally Cravens
 - z. Da Warehouse
- c. Special Management Area Use Permit SMA(U)-2017-2 to allow electrical and lighting upgrades to the Mana Drag Strip facility, situated on the makai side of Kaumualii Highway and immediately east of the Kekaha Landfill site, affecting a 20 acre portion of 3 existing parcels, further identified as Tax Map Keys (4) 1-2-002:009 (Por.), 036 & 040 = ***State of Hawaii, Department of Land and Natural Resources***.
 - 1. Director's Report pertaining to this matter.

F. HEARINGS AND PUBLIC COMMENT (Cont'd)

3. Continued Public Hearing

4. New Public Hearing

5. All remaining public testimony pursuant to HRS 92 (Sunshine Law)

G. CONSENT CALENDAR

1. Status Reports

2. Director's Report(s) for Project(s) Scheduled for Agency Hearing on 6/13/17

- a. Class IV Zoning Permit Z-IV-2017-12, Use Permit U-2017-10 and Special Permit SP-2017-5 to operate a green waste composting facility involving Units 69 & 70 of the Moloaa Hui I Condominium, on a parcel situated along the makai side of Kuhio Highway in Moloaa, approx. 1,000 ft. east of the Koolau Road/Kuhio Highway intersection, further identified as Tax Map Key (4) 4-9-009:012 (Por.), and affecting a portion of a larger parcel containing 281+ acres = *Green Earth Matters, Inc.*

1. Director's Report pertaining to this matter.

H. EXECUTIVE SESSION

I. GENERAL BUSINESS MATTERS

1. Notice to Appeal the *Anininina, LLC*, Shoreline Setback Determination SSD 2017-52, for real property situated at 7214 Alamo Road, Haena, Kauai, Hawaii, identified as Tax Map Key (4) 5-8-008:040.
2. Update of Application for *Princeville Hanalei Plantation, LLC*, a Delaware limited liability company, re Shoreline Setback Application and Determination SSD-2017-33, for real property situated at Hanalei, Kauai, Hawaii, identified as Kauai Tax Map Key No. (4) 5-4-004:013. [Deferred 4/11/17.]

J. COMMUNICATION (For Action)

K. COMMITTEE REPORTS

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

L. UNFINISHED BUSINESS (For Action)

1. Zoning Amendment ZA-2017-3 relating to updating the General Plan for the County of Kauai and technical amendments, related to the definition of Development Plan. [Hearing continued 1/31/17, hearing closed and deferred 2/28/17, deferred 3/14/17, 3/28/17, deferred 4/25/17, deferred 4/27/17.]
 - a. Supplemental No. 6 to the Departmental Draft of the General Plan Update.

M. NEW BUSINESS

1. For Action – See Agenda F for Project Descriptions

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawaii 96766 on **Tuesday, June 13, 2017.**

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes (“H.R.S.”), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050.

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING

Līhu'e Civic Center, Mo'ikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Hawaii 96766

Tuesday, May 23, 2017, 8:30 A.M.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Subdivision Committee

1. Meeting of May 9, 2017

E. RECEIPT OF ITEMS FOR THE RECORD (None)

F. HEARINGS AND PUBLIC COMMENT

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

G. GENERAL BUSINESS MATTERS (None)

H. UNFINISHED BUSINESS (For Action)

1. Final Subdivision Map Approval
 - a. Subdivision Application No. S-2015-7
(**Property Development Centers, LLC**)
Proposed 11-lot subdivision
TMK: (4) 3-3-003:046
Lihue, Kaua'i
 1. Subdivision Report pertaining to this matter.

I. NEW BUSINESS (For Action)

1. Final Subdivision Map Approval

- a. Subdivision Application No. S-2017-2
(Commercial Properties, LTD)
Proposed 2-lot consolidation
TMK: (4) 3-3-013:048 & 049
Lihue, Kauaʻi

- 1. Subdivision Report pertaining to this matter.

2. Subdivision Extension Request

- a. Subdivision Application No. S-2009-17
(Aukahi Farm, LLC)
Proposed 7-lot subdivision
TMK: (4) 2-8-012:001 & 011
Koloa, Kauaʻi

- 1. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

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Pursuant to Section 8-27.8 (6) of the Kaua'i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

May 23, 2017

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Reasons
SSD-2017-53	Tower Kauai Lagoons, LLC	3-5-001:027	Lihue	Refurbish Existing Wedding Chapel